



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HEDGEYE RISK MANAGEMENT, LLC,

Plaintiff,

- against -

DARIUS DALE, et al.

Defendants.
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21-CV-3687 (ALC) (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

This order resolves the parties' dispute about Hedgeye's request for analysis of an image of Dale's personal laptop computer. (See Dkt. 256.) The Court is concerned with Hedgeye's having waited until late in discovery to pursue this issue. At the same time, Hedgeye has represented that it will undertake the full cost of this exercise.

Accordingly:

1. Plaintiff may proceed with the forensic analysis protocol at Dkt. 252, subject to certain limitations, as follows.
2. Examination of the laptop images shall be limited to investigation concerning only Hedgeye's own files, both existing and deleted.
3. Hedgeye shall fund the entire cost of the forensic analysis.
4. Before Intrepid's forensic analysis is shared with Hedgeye or its counsel, Intrepid shall first provide its report to Dale so that he has the opportunity to object to the disclosure of any particular information or to limit disclosure to particular persons.

5. The parties must meet and confer to discuss and establish a timeline for expeditiously completing the forensic analysis.

6. Absent extraordinary circumstances, Plaintiff may not, without Defendants' agreement, seek an extension of discovery for reasons related to the forensic analysis.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal stroke extending to the right.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: June 10, 2022
New York, New York

Copies transmitted this date to all counsel of record.